

**CITY OF LAKE ELMO  
WASHINGTON COUNTY  
STATE OF MINNESOTA**

**RESOLUTION NO. 2022-078**

*A RESOLUTION APPROVING THE THIRD AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR DEVELOPMENT OF THE CROSSROADS EAST FIRST ADDITION.*

**WHEREAS**, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, Airlake Development Inc, and Crossroads East, LLC (together the "Developer") previously submitted an application to the City of Lake Elmo (the "City") for a final plat for Crossroads East First Addition; and

**WHEREAS**, the Lake Elmo City Council adopted Resolution No. 2021-115 on November 3, 2021 approving the final plat for Crossroads East First Addition; and

**WHEREAS**, the Lake Elmo City Council adopted Resolution No.2021-134 on December 7, 2021, approving the Development Agreement for Crossroads East First Addition; and

**WHEREAS**, the Lake Elmo City Council adopted Resolution No. 2022-034 on April 5, 2022 approving the First Amendment to Development Agreement (the "First Amendment"); and

**WHEREAS**, the First Amendment authorized Developer to proceed with vertical construction of the buildings on the Property prior to completion of the public Subdivision Improvements provided that the public Subdivision Improvements were completed on an agreed-upon schedule; and

**WHEREAS**, The Lake Elmo City Council adopted Resolution 2022-076 on August 3, 2022 approving the Second Amendment to Development Agreement (the "Second Amendment"); and

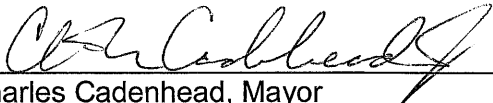
**WHEREAS**, the Second Amendment authorized Developer an extension of time to complete Public Improvements providing certain restrictions were placed on tenant improvements; and

**WHEREAS**, Developer and City have agreed to further amend the Development Agreement to remove the restrictions on building permits for tenants; and

**WHEREAS**, the City is willing to remove the restrictions on building permits for tenants provided that the Public Improvements are complete no later than September 30, 2022.

**NOW, THEREFORE**, based on the information received, the City Council of the City of Lake Elmo does hereby approve the Third Amendment to Development Agreement for Crossroads East First Addition and authorizes the Mayor and City Clerk to execute the Third Amendment.

Passed and duly adopted this 16<sup>th</sup> day of August 2022 by the City Council of the City of Lake Elmo, Minnesota.

  
\_\_\_\_\_  
Charles Cadenhead, Mayor

ATTEST:  
  
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Julie Johnson, City Clerk